

DEPARTMENT OF SOCIAL SERVICES

744 P Street, Sacramento, CA 95814

May 2, 1989

ALL COUNTY LETTER NO. 89-35

TO: ALL COUNTY WELFARE DIRECTORS

SUBJECT: HUNGER PREVENTION ACT - NONMONTHLY REPORTING PROVISIONS - QUESTIONS AND ANSWERS, AND INFORMING NOTICE, TEMP 1757.

REFERENCE: ACL 88-164, DATED DECEMBER 30, 1988, AND FOOD STAMP COORDINATORS LETTER, DATED JANUARY 25, 1989

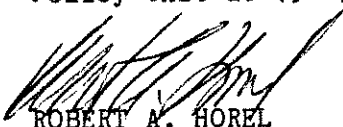
The purpose of this letter is to officially transmit the questions and answers provided earlier to County Welfare Departments (CWDs) via an All Food Stamp Coordinators Letter, dated January 25, 1989. The questions and answers concern the implementation of the nonmonthly reporting provisions of the Hunger Prevention Act (HPA) of 1988.

This letter also transmits eight (8) additional questions and answers that have been raised since the release of the Food Stamp Coordinators Letter, and a camera-ready copy of the TEMP 1757 (3/89), an HPA informing notice. The TEMP 1757 advises households of the change in reporting responsibilities and how households may fulfill these requirements.

CWDs are required to post the TEMP 1757 at food stamp eligibility and issuance offices from May 1, 1989 through February 1, 1990. CWDs have the option of making additional stock to give to homeless and seasonal farmworker households to inform them of their reporting responsibilities.

Under separate cover the Language Services Bureau has mailed the Spanish, Vietnamese, Lao, Cambodian, and Chinese versions of the TEMP 1757.

If you have any questions about the TEMP 1757, please contact Elizabeth Allred of the AFDC and Food Stamp Policy Implementation Bureau at (916) 323-4954 or ATSS 473-4954. Other questions may be directed to Michele Hansen of the Food Stamp Policy Unit at (916) 322-5330 or ATSS 492-5330.



ROBERT A. HOREL
Deputy Director

Attachment

cc: CWDA

ADDITIONAL HPA NONMONTHLY REPORTING
PROVISIONS

QUESTIONS AND ANSWERS

- 1) The household loses its home on June 9 and reports it to the CWD the same day. The household fails to submit the May CA 7 in June. Should the CWD take any action although the household is no longer subject to MRRB effective July 1?

Yes. The CWD should send the household the NA 960 in accordance with M.S. 63-504.27 since the household was still subject to MRRB in May and June.

- 2) A PA household loses its home February 5. The household is given AFDC homeless assistance money and finds a new home February 21. Is the household subject to prospective budgeting in March and April (beginning months) or do they continue with retrospective budgeting since they were in a home February 1 and March 1?

Although the household lost their home on February 5, they found a home on February 21. Therefore, the household status never changed, requiring no change in a budgeting method (i.e., from retrospective budgeting to prospective budgeting). The household should continue to be retrospectively budgeted.

- 3) A homeless household finds a home, moves in and reports the move to the CWD on June 29. The household tells the CWD what the shelter cost is and verifies the amount during the month of July. Should the CWD allow the shelter deduction and supplement the household for the month of July if the shelter deduction results in an increase in benefits?

In accordance with M.S. 63-504.422, for changes which result in an increase in a household's allotment, other than the addition of a new household member or a decrease of \$50 or more in the household's gross monthly income, the CWD shall make the change effective not later than the first allotment issued 10 days after the date the change was reported to the CWD. If the household is on staggered issuance with the normal issuance date being the 11th of the month and the household has provided the necessary

verification, the CWD would have to make the change effective with the July issuance. However, if the household's normal issuance date is less than 10 days after the reported change the CWD would not be required to make the change until the August allotment.

- 4) For nonmonthly reporting households does the CWD have to verify changes when it results in a decrease?

Changes which result in a decrease in benefits need not be verified until recertification. (See FSQUAD 52, #4. Note: The correct regulation cite in the FSQUAD is 63-504.631(a) rather than 63-504.634.)

- 5) If a homeless household fails to pick up their coupons or ATP from the CWD for several months can the CWD discontinue the household?

If the CWD is unable to ascertain that the household is no longer eligible to participate the CWD must continue to issue the coupons or ATP until the households certification period expires. (See FSQUAD #136)

- 6) In April the CWD sends the household a discontinuance notice for failure to submit the March CA 7. The discontinuance is effective May 1. On May 12 the household contacts the CWD and reports they became homeless on March 18. Should the CWD rescind the discontinuance notice since the household is no longer subject to MRRB?

No. The CWD should not rescind the discontinuance notice because the household did not report to the CWD that they were homeless until after the effective date of the discontinuance.

- 7) A homeless household applies for expedited services after the 15th of the month and verification is postponed. The CWD approves the application and certifies the household for the month of application and the following month. Does the CWD give the household a NEC (DFA 377.2) at the time of certification?

Yes. In accordance with M.S. 63-301.543(b) the CWD shall issue the second month's benefits within five working days from receipt of the verification or the first working day

of the second calendar month, whichever is later. A NEC shall be provided at the time of certification (M.S. 63-504.251(b)). Additionally, in accordance with M.S. 63-504.613(c), a household shall have 15 days from the date the notice is received to file a timely application for recertification.

- 8) A homeless household applies for expedited services before the 15th of the month and verification is postponed. The CWD approves the application and certifies the household for the month of application. Does the CWD have to give the household a NEC (DFA 377.2) at the time of certification?

Yes. When the household provides the verification the CWD shall provide the household with a NEC. Additionally, in accordance with M.S. 63-504.613(c), a household shall have 15 days from the date the notice is received to file a timely application for recertification.

HUNGER PREVENTION ACT
NONMONTHLY REPORTING HOUSEHOLDS

QUESTIONS AND ANSWERS

- 1) Is a January 1989 CA 7 required for continuing households? If so, what happens if the homeless household does not submit one?

A January 1989 CA 7 should be submitted by homeless households; however, if the household fails to submit that CA 7 the CWD should not take any adverse action against the household.

- 2) Should the CWD require a household not subject to MRRB, that applies in January 1989, to submit a January 1989 CA 7?

No. It is not necessary.

- 3) When a homeless household finds a home when does monthly reporting begin?

When the household is no longer homeless, it will be subject to monthly reporting providing it is not a seasonal or migrant farmworker or a household without earned income whose adult members are all elderly or disabled. The household would have two months of prospective budgeting (beginning with the month following the month in which the household is no longer homeless) before retrospective budgeting is applied. The third month's allotment would then be based on retrospective budgeting.

For example: A homeless household moves into a home on March 15 and reports the change to the CWD on March 21. The household would be required to submit CA 7s for April and May; however, the April and May allotments are still based on prospective budgeting. June's allotment would be determined using retrospective budgeting based on the information provided on the April CA 7.

- 4) What is the first month of prospective budgeting for continuing households that are exempt from MRRB?

The first month after the month the CWD becomes aware the household is not subject to MRRB.

For example: A household reports to the CWD on June 10 it is now homeless. The first month of prospective budgeting is July. If the household does not report any other changes and the most recent information the CWD has for the household is the change in the shelter cost and what is submitted on the May CA 7, the CWD should use that information to determine July's allotment and subsequent allotments until a change is reported.

- 5) A homeless household applies for GA. The CWD is unable to prospectively budget the GA payment. Should the GA payment be retrospectively budgeted in accordance with M.S. 63-503.232(c)(4) as described in ACL No. 88-150?

No. M.S. 63-503.232(c)(4) only applies to monthly reporting households.

- 6) Can counties use the information reported for AFDC on the CA 7 for nonmonthly reporting households?

Yes. In accordance with M.S. 63-504.432 the CWD shall use the monthly eligibility report (CA 7) as the food stamp report form for PA households.

- 7) What action should the CWD take if the CA 7 for AFDC is not received timely from the nonmonthly reporting household?

In accordance with M.S. 63-504.432(b), the household shall be considered reporting timely if the CA 7 for AFDC is within the required timeframes for submitting the CA 7 for AFDC or the household reports a change within 10 days of the date of the change whichever is later. Even if the CWD determines the change has not been reported timely the information reported should still be acted on. If the change results in an overissuance the CWD shall establish a claim in accordance with M.S. 63-801.311(c)(2).

- 8) What are the reporting requirements for nonmonthly reporting households?

M.S. 63-505.51 lists the reporting requirements for nonmonthly reporting households. They are: 1) changes in the source of income, in the amount of gross monthly income or medical expenses of more than \$25; 2) changes in household composition; 3) changes in residence and the

resulting change in the shelter expense; 4) the acquisition of a licensed vehicle not fully excludable; and 5) when the households resources exceed the maximum resource eligibility standard. Additionally, M.S. 63-505.52 lists other changes a nonmonthly reporting household is not required to report but encouraged to report.

- 9) When a client reports change on the CA 7 for AFDC but it is past the 10-day requirement to report for a nonmonthly reporting household, is there an overissuance or underissuance?

In accordance with M.S. 63-505.53, the CWD must first determine whether the household meets the timeliness reporting requirements for nonmonthly reporting households. If the household does not meet the timeliness reporting requirements, a claim shall be established for an overissuance in accordance with M.S. 63-801.311(c)(2). (Note: Our intention is to expand M.S. 63-505.53 to include all nonmonthly reporting households.) If the change results in an increase there would not be an underissuance. The CWD would act in accordance with M.S. 63-504.422(a) which provides the CWD shall make the change effective not later than the first allotment issued 10 days after the date the change was reported to the CWD.

- 10) If a homeless PA household finds a home does the CWD recertify?

No. The household's certification would be determined in accordance with M.S. 63-504.13.

- 11) How long does the CWD certify the homeless household?

The CWD should make that decision in accordance with M.S. 63-504.13 and M.S. 63-301.543 for expedited service households.

- 12) How long does the homeless household have to continue to submit the CA 7 once it becomes nonmonthly reporting?

The monthly reporting stops the month following the month of the reported change.

For example: If a household becomes homeless June 5 and reports it to the CWD June 6, a July CA 7 is not required because the household is no longer subject to monthly reporting effective July 1. The household should still submit a June CA 7 in this situation; however, if one is not received the CWD would not take any adverse action.

- 13) Is the CWD required to provide a DFA 377.5?

Yes. In accordance with M.S. 63-504.41, the CWD is required to provide all households which are exempt from food stamp monthly reporting with a DFA 377.5 at least at the time of certification, recertification, if the household needs a new form and whenever a DFA 377.5 is returned by the household. This applies to both NAFS and PAFS households.

- 14) Client reports on the CA 7 for AFDC a change in earned income of more than \$25 but fails to provide verification. Should the CWD make the change for FS?

The CWD shall take action on the information reported in accordance with M.S. 63-504.42. M.S. 63-504.421 states the CWD shall advise the household of any verification requirements to effect the change.

- 15) Client is residing temporarily in the home of someone else (so is still considered homeless). The client reports a housing cost for the first time on the CA 7 for AFDC but fails to provide verification. Can the shelter cost be allowed?

No. The household is still subject to the verification requirements in M.S. 63-300.516.

- 16) Are residents of a drug and alcohol treatment center considered homeless?

No. A resident of a drug and alcohol treatment center would have to meet the definition of a homeless individual as defined in M.S. 63-102h.(1)(a) through (d). M.S. 63-102 h.(1)(a) states a person residing in a supervised shelter designed to provide temporary accommodations is considered homeless. The intent of a drug and alcohol treatment

center is not to provide temporary housing for the homeless. "Temporary housing" defined in M.S. 63-102t.(1) for the purpose of determining if PA or GA vendor payments for housing assistance should be excluded, does not apply in determining if an individual is homeless.

17) Who is a seasonal farmworker?

A seasonal farmworker does not travel from place to place, but rather works seasonally in an agriculturally related activity in the county where the household normally resides. (See FSQUAD #116)

18) Are cannery workers considered seasonal farmworkers?

No. The worker must work on the farm.

19) Are there different reporting requirements for seasonal farmworkers and migrant farmworkers?

No. They are both nonmonthly reporting households and subject to the reporting requirements in M.S. 63-505.5.

20) Are the certification periods different for the seasonal farmworkers and migrant farmworkers?

Both seasonal farmworkers and migrant farmworkers should be certified in accordance with M.S. 63-503.43 and M.S. 63-504.13.

21) Will M.S. 63-503.43 apply to destitute homeless households?

We have been informed by FNS that M.S. 63-503.43 will not be expanded to include homeless households; however, that may change when the final federal regulations are released.

22) Is the State going to provide a stuffer notice to advise clientele?

A flyer that can be posted and handed out is being developed and will be transmitted by ACL.

ATTENTION !

Do You Get Food Stamps?

If Yes, Please Read.

As of February 1, 1989, food stamp rules changed for some food stamp households:

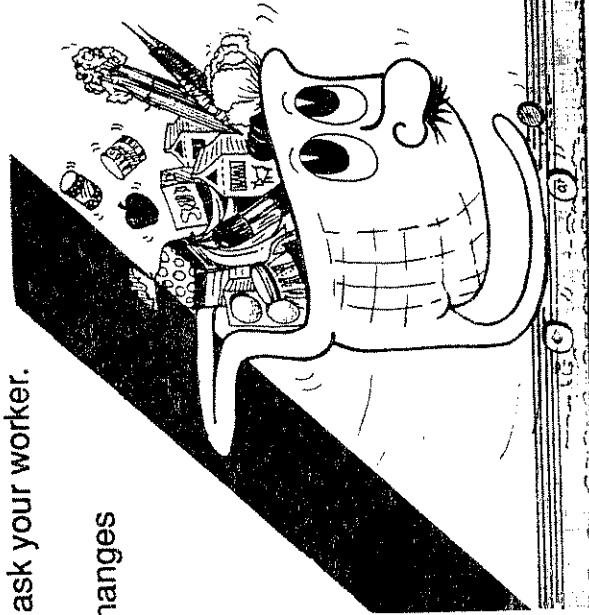
Do you get food stamps only (no cash aid)

and

- have no place to live, or
- are in temporary housing, or
- are a seasonal farmworker household?

If "YES", you may not need to turn in the Monthly Eligibility Report (CA 7). If you're not sure about sending in your CA 7, ask your worker.

You still must report changes within 10 days after they happen and give us proof when we ask for it. See the next column for the changes to report.



REPORT THESE CHANGES:

- Your monthly income starts, stops, or changes by more than \$25.
- The source of your income changes.
- You change your address.
- Your housing or utility costs change because you move.
- Anyone moves into or out of your home.
- Anyone joins or leaves your household.
- Any property owned by your household changes: such as you get a licensed car; the total of your household's stocks, bonds, or other money reaches or exceeds \$2000 (\$3000 if you have a household member who is 60 or older); etc.
- Your medical expenses change by more than \$25 for a household member who is disabled or 60 or older.

REPORT THESE AND OTHER CHANGES:

- by telephone
- in person at the food stamp office
- by mail
- by a Food Stamp Household Change Report (DFA 377.5) that shows the change(s). The county will give you a DFA 377.5.